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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/921,908	08/06/2001	Hideaki Yamada	1152-0279P	8593

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EXAMINER	
MILIA, MARK R	
ART UNIT	**PAPER NUMBER**
2622	

DATE MAILED: 03/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/921,908	YAMADA, HIDEAKI	
	Examiner	Art Unit	
	Mark R. Milia	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-7 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-7 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 06 August 2001 is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 10/23/01.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: Figure 1, element "600". Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1 and 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5724157 to Otani et al. in view of U.S. Patent No. 6307966 to Chapin.

Regarding claim 1, Otani discloses an image encoding apparatus which sends a single transmission image by first coding a first image and a second image having a smaller area than the first image and combining them, with the second image arranged in the upper side of the first image in the single transmission image comprising an encoder portion for generating a first set of codes corresponding to the first rotated image and a second set of codes corresponding to the second rotated image, based on the coding block unit determined depending on the size of the first rotated image (see Figs. 1 and 3, column 3 lines 5-10 and 57-61, column 5 lines 21-50, and column 6 lines 15-20) and a code merging portion for combining the second set of codes after the first set of codes (see Fig. 4 and column 6 lines 15-20 and 23-28).

Otani does not disclose expressly an image rotating portion f or rotating each of the first and second images by approximately 180 degrees and outputting the first and second rotated images.

Chapin discloses an image rotating portion f or rotating each of the first and second images by approximately 180 degrees and outputting the first and second rotated images (see Figs. 2 and 5, column 3 lines 44-49, and column 4 lines 12-18, 21-24, and 32-42).

Otani & Chapin are combinable because they are from the same field of endeavor, printing of encoded/compressed image data after image manipulation.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the rotation concept of Chapin with the system of Otani.

The suggestion/motivation for doing so would have been to provide rotation without the need for a large page buffer or memory which increases productivity and decreases processing time (see column 5 lines 57-67 of Chapin).

Regarding claim 6, Otani and Chapin disclose the system discussed in claim 1, and Otani further discloses wherein upon encoding, the encoder portion generates a line count definition parameter at the position before, and a line count redefinition parameter at the position after, the subject codes as the encoding target, assigns the line count of the merged image information of the first and second rotated image information as the line count definition parameter for the first set of codes, and assigns the line count of the first rotated image information as the line count redefinition parameter for the first set of codes (see column 4 lines 15-59 and column 5 line 21-column 6 line 22).

Regarding claim 7, Otani and Chapin disclose the system discussed in claim 1, and Otani further discloses wherein the second image is an image of sender information represented in a bitmap form (see Fig. 4 and column 5 lines 12-26).

Therefore, it would have been obvious to combine Chapin with Otani to obtain the invention as specified in claims 1 and 6-7.

Claims 2-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Otani and Chapin as applied to claim 1 above, and further in view of Japanese Patent

Document No. 11-313210 to Hirakawa as cited on Information Disclosure Statement dated October 23, 2001. Reference will be made using a computer translation of the Japanese Patent Document, which is attached to this Office Action.

Otani and Chapin do not disclose expressly (*claim 2*) wherein the encoder portion determines the interval at which identification codes indicating coding block units are inserted, based on the size of the first rotated image, (*claim 3*) wherein the code merging portion combines the first set of codes and the second set of codes with reference to the identification code indicating the boundary between coding block units, (*claim 4*) wherein the encoder portion generates codes for a dummy image after identification code indicating the boundary between coding block units when the first rotated image is encoded, and the codes for a dummy image can be replaced With the codes of the second rotated image, and (*claim 5*) wherein upon encoding, the encoder portion generates a line count definition parameter at the position before, and a line count redefinition parameter at the position after, the subject codes as the encoding target, assigns a dummy value as the line count definition parameter for the first set of codes, and assigns the line count of the merged image information of the first and second rotated image information as the line count redefinition parameter for the second set of codes.

Hirakawa discloses (*claim 2*) wherein the encoder portion determines the interval at which identification codes indicating coding block units are inserted, based on the size of the first rotated image (see paragraphs [0084], [0092]-[0093], [0095], [0098]-[0100], and [0103]-[0104]), (*claim 3*) wherein the code merging portion combines the

first set of codes and the second set of codes with reference to the identification code indicating the boundary between coding block units (see paragraphs [0146]-[0150]), (*claim 4*) wherein the encoder portion generates codes for a dummy image after identification code indicating the boundary between coding block units when the first rotated image is encoded, and the codes for a dummy image can be replaced With the codes of the second rotated image (see paragraphs [0132] and [0138]-[0141]), and (*claim 5*) wherein upon encoding, the encoder portion generates a line count definition parameter at the position before, and a line count redefinition parameter at the position after, the subject codes as the encoding target, assigns a dummy value as the line count definition parameter for the first set of codes, and assigns the line count of the merged image information of the first and second rotated image information as the line count redefinition parameter for the second set of codes (see paragraphs [0138]-[0141]).

Otani, Chapin & Hirakawa are combinable because they are from the same field of endeavor, printing of encoded/compressed image data after image manipulation.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the encoding and merging techniques of Hirakawa with the system of Otani and Chapin.

The suggestion/motivation for doing so would have been to provide easier combination of sender information with an image document and optimal compression of divided image data blocks to increase processing speed and efficiency (see paragraph [0170] of Hirakawa).

Therefore, it would have been obvious to combine Hirakawa with Otani and Chapin to obtain the invention as specified in claims 2-5.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. To further show state of the art refer to U.S. Patent numbers 5987184 (Kweon et al.), 5767911 (Boon), and 5557715 (Ichiyanagi).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark R. Milia whose telephone number is (703) 305-1900. The examiner can normally be reached M-F 8:00am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached at (703) 305-4712. The fax number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Examiner
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